

New Medical Certification Requirements A Guide for Commercial Driver's License (CDL) Holders Frequently Asked Questions (FAQs)

**North Carolina Division of Motor Vehicles
January 2012**

The following FAQs will help you determine how to meet the new Federal medical certification requirements:

Q. What must I do to comply with the new requirements for making my medical certification part of my CDL driving record?

A. Starting on January 30, 2012, when you:

- Apply for a CDL;
- Renew a CDL;
- Apply for a higher class of CDL;
- Apply for a new endorsement on a CDL; **or**
- Transfer a CDL from another State,

You will be required to self-certify to a single type of commercial operation on your driver license application form. Based on that self-certification, you may need to provide the NC DMV with a current DOT medical examiner's certificate and show any variance/waiver or skills performance evaluation (SPE) you may have to obtain or keep your CDL.

Q. What is a variance/waiver/SPE?

A. A variance/waiver may be granted by FMCSA for certain CDL operators with vision or diabetes issues. An SPE may be required for CDL operators who have a loss of limb before a variance/waiver may be granted by FMCSA. A waiver may be granted by NC DMV Medical Section for certain operators who cannot meet the Federal medical certification requirements.

Q. How do I determine which type of commercial motor vehicle (CMV) operation I should self-certify?

A. For the purpose of complying with the new requirements for medical certification, it is important to know how you are using the CMV. To help you decide, follow these steps:

Step 1: Do you, or will you, use a CDL to operate a CMV in **interstate** or **intrastate commerce**?

Interstate commerce is when you drive a CMV:

- From one State to another State or foreign country;
- Between two places within a State, but during part of the trip, the CMV crosses into another State or foreign country; **or**
- Between two places within a State, but the cargo is part of a trip that began or will end in another State or foreign country.

Intrastate commerce is when you drive a CMV within a State and you do not meet any of the descriptions above for **interstate commerce**.

If you operate in both **intrastate commerce** and **interstate commerce**, you must choose **interstate commerce**.

Step 2: Once you decide you operate or will operate in **interstate commerce** or **intrastate commerce**, you must decide whether you operate (or expect to operate) in a **non-excepted** or **excepted** status. This decision will tell you to which of the four types of commerce you must self-certify.

Interstate Commerce:

You operate in **excepted interstate commerce** when you drive a CMV in interstate commerce only for the following excepted activities:

- To transport school children and/or school staff between home and school;
- As Federal, State or local government employees;
- To transport human corpses or sick or injured persons;
- Fire truck or rescue vehicle drivers during emergencies and other related activities;
- Primarily in the transportation of propane winter heating fuel when responding to an emergency condition requiring immediate response such as damage to a propane gas system after a storm or flooding;
- In response to a pipeline emergency condition requiring immediate response such as a pipeline leak or rupture;
- In custom harvesting on a farm or to transport farm machinery and supplies used in the custom harvesting operation to and from a farm or to transport custom harvested crops to storage or market;
- Beekeeper in the seasonal transportation of bees;
- Controlled and operated by a farmer, but is not a combination vehicle (power unit and towed unit), and is used to transport agricultural products, farm machinery or farm supplies (no placardable hazardous materials) to and from a farm and within 150 air-miles of the farm;
- As a private motor carrier of passengers for non-business purposes ; **or**
- To transport migrant workers.

If you answered yes to one or more of the above activities as the **only** operation in which you drive, you operate in **excepted interstate commerce** and do not need a DOT medical examiner's certificate.

If you answered no to all of the above activities, you operate in **non-excepted interstate commerce** and are required to provide a current DOT medical examiners certificate (49 CFR 391.45), commonly referred to as a DOT medical examiners certificate or DOT card, to the NC DMV. Most CDL holders who drive CMVs in interstate commerce are **non-excepted interstate commerce** drivers.

If you operate in both **excepted interstate commerce** and **non-excepted interstate commerce**, you must choose **non-excepted interstate commerce** to be qualified to operate in both types of interstate commerce.

Intrastate Commerce:

You operate in **excepted intrastate commerce** when you drive a CMV only in intrastate commerce activities for which NC has determined you are not required to obtain a DOT medical examiner's certificate.

You operate in **non-excepted intrastate commerce** when you drive a CMV only in intrastate commerce and are required to meet NC DMV's medical certification requirements.

If you operate in both **excepted intrastate commerce** and **non-excepted intrastate commerce**, you must choose **non-excepted intrastate commerce**.

Step 3: Provide NC DMV with your self-certification of your operating status. If you self-certify to **non-excepted interstate or non-excepted intrastate** on or after January 30, 2012, you must provide NC DMV with either the original or copy of your current DOT medical examiner's certificate.

If your DOT medical examiner's certificate is only valid with a vision, diabetes or a skills performance evaluation variance granted by FMCSA, FMCSA will provide a copy of that variance or SPE document to the NC DMV.

Q. What if I am an existing CDL holder who does not have a license renewal, upgrade or transfer between January 30, 2012 and January 30, 2014?

A. You are responsible for following the three steps above and providing NC DMV with your self-certification of operating status by January 30, 2014. If required, you must also provide your current DOT medical examiner's certificate and any variance document by January 30, 2014.

Q. After I provide NC DMV with my unexpired DOT medical examiner's certificate, do I still have to carry an original or copy of my medical examiner's certificate?

A. Yes. Until the program is fully implemented you will still have to carry an original or copy of the DOT medical examiner's certificate and provide a copy to your employer for your driver qualification file.

Q. What if I do not provide NC DMV with my self-certification and if required, my medical examiner's certificate and any required variance document by January 30, 2014?

A. NC DMV will notify you that you are no longer medically certified to operate a CMV in non-excepted interstate/non-excepted intrastate commerce. You will have 30 days to respond or your entire NC driving privileges will be cancelled.

Q. What should I do when my medical certificate and/or variance is about to expire?

A. You must have a new medical examination and obtain a new DOT medical examiner's certificate. You must then provide NC DMV the new DOT medical examiner's certificate. You are also responsible for applying for a renewal of your variance/waiver if required.

Q. What happens if my medical examiner's certificate or variance expires before I provide NC DMV with a new one?

A. NC DMV will notify you that you are no longer medically certified to operate a CMV in non-excepted interstate/non-excepted intrastate commerce. You will have 30 days to respond or your entire NC driving privileges will be cancelled.

Q. How can I get back my CDL privileges?

A. If the DOT medical examiner's certificate has expired, you must obtain a new one and provide it to NC DMV. If the variance has expired, you must renew it with FMCSA. NC DMV may require retesting and additional fees to restore your CDL privileges.